



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION (WP) NO.3415/2020

Shiksha Mandal, Wardha, through its Secretary, Nagpur and Another
--Vs.--
The Grievance Committee of Rashtrasant Tukdoji Maharaj, Nagpur University,
Nagpur, through its Chairman and Another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Deoul Pathak, Advocate for petitioners
Mr. N.D. Khamborkar, Advocate for respondent No.1
Mr. S.N. Bhattad, Advocate for respondent No.2

CORAM : SACHIN S. DESHMUKH, J.
DATE : 13/08/2025

1. The learned counsel for the petitioners places reliance on the order in Writ Petition No.1053/2020 in the matter of The Renuka Shikshan Prasarak Mandal, Nagpur, through its Secretary and Another Vs. The Rashtra Sant Tukdoji Maharaj Nagpur University, through its Registrar and Others, decided on 02.09.2021, particularly on paragraph Nos.5, 6, 7 and 8, which reads as under :-

“5. It is pertinent to note that when Section 79 of the Maharashtra Public Universities Act, 2016 contemplates a decision by the Committee, as constituted under Section 79 (3), the decision has to be reflected as having been taken by the Committee and not otherwise.

6. In Mahendra Gupta (supra), the decision was taken in a meeting of the State Transport Authority, wherein the Madhya Pradesh Motor Vehicles Rules,

1994 expressly provided for a quorum of the meeting in which circumstances, it was held that when the quorum was fulfilled, the decision by the majority would be acceptable. Mahendra Gupta (supra), which is not the case in the present matter and therefore is of no assistance to the argument advanced by Shri Mahajan, learned Counsel for respondent no.3

7. In the above view of the matter, on this ground alone, the impugned order cannot be sustained. The same is hereby quashed and set aside and the matter is remanded back to the Committee to take a decision, in accordance with law and what has been indicated above, within a period of two months from the date of receipt of this order.

8. Writ Petition stands disposed of accordingly. There shall be no order as to costs.”

2. Admittedly, the order rendered by the Committee is signed by Chairman only and not by the Members. As such, the order cannot be sustained.

3. In the light of the aforesaid finding, the writ petition is allowed with further direction to the Committee to decide the issue afresh within a period of eight weeks. The parties to appear before the Committee on 12.09.2025.

4. There shall be no order as to costs.

(SACHIN S. DESHMUKH, J.)